

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

MP STAR FINANCIAL, INC.,)	CASE NO.:
)	
Plaintiff,)	JUDGE:
)	
v.)	Filed Pursuant to a Subpoena Issued in
)	Connection with Case No. 1:19-cv-00537,
NEXIUS SOLUTIONS, INC.,)	Presently Pending in the Northern District
)	of Ohio, Eastern Division
Defendant.)	
)	PLAINTIFF’S MOTION TO
)	COMPEL COMPLIANCE AND FOR
)	CONTEMPT

Plaintiff, MP Star Financial, Inc. (“MP Star” or “MP Star Financial”), through counsel, hereby respectfully moves this Court under Fed R. Civ. P. 45(d)(2)(B)(i) and (g) for an Order compelling non-party witness All Cell Communications, Inc. (“All Cell”) to produce documents responsive to MP Star’s subpoena *duces tecum*, attached hereto as Exhibit A, and for contempt of court because of All Cell’s failure to comply with the subpoena without adequate excuse. A Brief in Support in attached hereto.

Dated: February 4, 2020.

Respectfully submitted,

/s/ Charles J. Pawlukiewicz
Charles J. Pawlukiewicz (OH: 0011499)
McCARTHY, LEBIT, CRYSTAL
& LIFFMAN CO., L.P.A.
101 West Prospect Avenue
1800 Midland Building
Cleveland, Ohio 44115
Telephone: (216) 696-1422
Facsimile: (216) 696-1210
Email: cjp@mccarthylebit.com

Counsel for Plaintiff, MP Star Financial, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served, pursuant to Rule 5 of the Federal Rules of Civil Procedure, by electronic mail, regular U.S. mail, and certified mail on this 4th day of February 2020, upon:

Anthony A. Agosta, Esq.
Clark Hill PLC
500 Woodward Ave.
Suite 3500
Detroit, Michigan 48226
aagosta@clarkhill.com

The Records Custodian
All Cell Communications, LLC
720 S. Otsego Avenue
Gaylord, MI 49735

Counsel for Defendant Nexius Solutions, Inc.

/s/ Charles J. Pawlukiewicz
Charles J. Pawlukiewicz (OH: 0011499)